

Jul 18, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROBERT CHARLES CURTIS,
Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY, Social Security Acting
Commissioner Berryhill; PORTLAND
DIRECTOR OF SOCIAL SECURITY;
UNKNOWN EMPLOYEE OF
PORTLAND SOCIAL SECURITY;
SPOKANE DIRECTOR OF SOCIAL
SECURITY; DEPARTMENT OF
HUMAN SERVICES OF OREGON;
DEPARTMENT OF HUMAN SERVICES
OF WASHINGTON; UNKNOWN
EMPLOYEE OF WA DHS,
Defendants.

No. 2:18-cv-00342-SAB

**ORDER DENYING
RECONSIDERATION;
CLOSING FILE**

Before the Court is Plaintiff's Petition for Reconsideration, ECF No. 31. Plaintiff requests the Court reconsider its decision to dismiss this matter for lack of subject matter jurisdiction. ECF No. 28.

Motions for reconsideration are generally disfavored and are considered an "extraordinary remedy, to be used sparingly in the interest of finality and

ORDER DENYING RECONSIDERATION; CLOSING FILE ^ 1

1 conservation of judicial resources.” *Kona Enters., Inc. v. Estate of Bishop*, 229
2 F.3d 877, 890 (9th Cir. 2000). A motion for reconsideration “should not be
3 granted, absent highly unusual circumstances, unless the district court is presented
4 with newly discovered evidence, committed clear error, or if there is an intervening
5 change in the controlling law.” *389 Orange Street Partners v. Arnold*, 179 F.3d
6 656, 665 (9th Cir. 1999).

7 Motions for reconsideration “may not be used to raise arguments or present
8 evidence for the first time when they could reasonably have been raised earlier in
9 the litigation.” *Kona*, 229 F.3d at 890. Whether or not to grant reconsideration is
10 committed to the sound discretion of the court.” *Navajo Nation v. Confederated*
11 *Tribes and Bands of the Yakama Indian Nation*, 331 F.3d 1041, 1046 (9th Cir.
12 2003).

13 The Court is not convinced reconsideration is appropriate. Accordingly,
14 Plaintiff’s motion is denied.

15 Accordingly, **IT IS HEREBY ORDERED:**

- 16 1. Plaintiff’s Petition for Reconsideration, ECF No. 31, is **DENIED**.
17 2. All remaining motions are **DISMISSED as moot**.

18 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
19 file this Order, provide copies to counsel and pro se plaintiff, and **close** the file.

20 **DATED** this 18th day of July 2019.



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A handwritten signature in blue ink that reads "Stanley A. Bastian".

26 Stanley A. Bastian
27 United States District Judge
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